

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

TAURUS BERNARD DICKERSON, :

Plaintiff, :

V. :

DEPUTY WARDEN STANFORD, :
et al., :

Defendants. :

NO. 5:25-cv-00054-MTT-CHW

ORDER

Plaintiff Taurus Bernard Dickerson, a prisoner in Telfair State Prison in Helena, Georgia, filed a document in this Court which has been docketed as a civil rights complaint brought under 42 U.S.C. § 1983. ECF No. 1. He also moved for leave to proceed in this action *in forma pauperis*. ECF No. 2. As set forth below, Plaintiff is now **ORDERED** to recast his complaint on the proper form. Additionally, Plaintiff's motion to proceed *in forma pauperis* is **DENIED**, and Plaintiff is **ORDERED** to pay the \$405.00 filing fee if he wants to proceed with this case.

I. **Order to Recast Complaint**

Plaintiff's complaint was not filed on the 42 U.S.C. § 1983 complaint form designed for use by prisoner litigants. *See* ECF No. 1. Accordingly, Plaintiff is now **ORDERED** to recast his complaint on the standard form. Plaintiff shall have **FOURTEEN (14) DAYS** from the date of this order to file his recast complaint.

The recast complaint must contain a caption that clearly identifies, by name, each individual that Plaintiff has a claim against and wishes to include as a defendant in this action. Plaintiff is to name only the individuals associated with the claim or related claims that he is pursuing in this action. Plaintiff must then tell the Court exactly how that individual violated his constitutional or federal statutory rights, including (1) what each defendant did (or did not do) to violate his rights; (2) when and where each action occurred; and (3) how Plaintiff was injured as a result of each defendant's actions. Plaintiff must complete the entire complaint form.

Plaintiff's recast complaint **shall take the place of and supersede all allegations made in the original pleading.** The Court will only consider the factual allegations and claims contained in Plaintiff's recast complaint on the enclosed § 1983 form. Thus, any fact Plaintiff deems necessary to his lawsuit should be clearly stated in his recast complaint, even if Plaintiff has previously alleged it in another filing. As stated above, Plaintiff must name each defendant he wishes to sue and if Plaintiff fails to link a named defendant to a claim, the claim will be subject to dismissal.

II. Motion to Proceed *In Forma Pauperis*

Plaintiff has also filed a motion to proceed in this action *in forma pauperis*. ECF No. 2. The district courts may authorize the commencement of a civil action without prepayment of the normally required filing fee if the plaintiff shows that he is indigent and financially unable to pay the filing fee. *See* 28 U.S.C. §1915(b). A prisoner seeking to proceed *in forma pauperis* under this section must provide the district court with both (1) an

affidavit in support of his claim of indigence and (2) a certified copy of his prison “trust fund account statement (or institutional equivalent) for the 6-month period immediately preceding the filing of the complaint.” *Id.*

Plaintiff has not filed a certified account statement. Instead, Plaintiff filed a notice asserting that the business office had failed to provide him with a copy of his account statement. ECF No. 2-1 at 1. Plaintiff also submitted a copy of a store receipt dated January 29, 2025, which shows his account balance as \$6,850.40. ECF No. 2-1 at 1. Consistent with that statement, Plaintiff attests in his affidavit of indigence that he currently has \$7,000. ECF No. 2 at 2.

Based on this documentation, Plaintiff has not established that he is unable to prepay the entire \$405.00 fee. Accordingly, Plaintiff’s motion to proceed *in forma pauperis* is now **DENIED**, and Plaintiff is **ORDERED** to pay the \$405.00 filing fee if he wants to proceed with this action. Plaintiff shall have **FOURTEEN (14) DAYS** from the date of this order to pay the full filing fee.

If Plaintiff’s circumstances have materially changed, such that Plaintiff is not able to pay the filing fee as ordered, Plaintiff may submit a renewed motion to proceed *in forma pauperis* explaining his present inability to pay with the same **FOURTEEN (14) DAY** period. Any renewed motion for leave to proceed *in forma pauperis* must be accompanied by a certified and updated copy of Plaintiff’s prison trust fund account information, as required by 28 U.S.C. § 1915(a)(2).

III. Conclusion

Therefore, as set forth above, Plaintiff is now **ORDERED** to recast his complaint on the proper form and pay the \$405.00 filing fee within **FOURTEEN (14) DAYS** from the date of this order. Plaintiff's failure to fully and timely comply with this order may result in the dismissal of this case.

The Clerk is **DIRECTED** to mail Plaintiff a blank § 1983 form and a copy of the required forms he should use to submit any renewed motion for leave to proceed *in forma pauperis* with his service copy of this order (with the civil action number showing on all). There shall be no service in this case pending further order of the Court.

SO ORDERED and DIRECTED, this 18th day of March, 2025.

s/ Charles H. Weigle
Charles H. Weigle
United States Magistrate Judge